

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Solomon S. Steiner, Robert Feldstein, Per B. Fog, and Trent Poole

Serial No.: 09/621,092

Art Unit: 3761

Filed: July 21, 2000

Examiner: Not Yet Assigned

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For: *UNIT DOSE CAPSULES AND DRY POWDER INHALER*

Assistant Commissioner for Patents  
Washington, D.C. 20231

**INFORMATION DISCLOSURE STATEMENT**

Sir:

Pursuant to 37 C.F.R. §1.56 and 37 C.F.R. §1.97, Applicants submit an Information Disclosure Statement, including one (1) page of Form PTO-1449 and a copy of each document cited therein.

This Information Disclosure Statement is being filed under 37 C.F.R. § 1.97(b) prior to a first Office Action on the merits. It is believed that no fee is required with this submission. However, should a fee be required, the Commissioner is hereby authorized to charge any required fees to Deposit Account No. 50-1868.

**U.S. Patents**

<u>Number</u>	<u>Issue Date</u>	<u>Patentee</u>	<u>Class/Subclass</u>
3,823,816	07-16-1974	Controullis et al.	206/.5
4,040,536	08-09-1977	Schwarz	220/8
4,407,525	09-13-1977	Kulesa et al.	128/208
4,487,327	12-11-1984	Grayson	220/8
5,170,801	12-15-1992	Casper et al.	128/769
5,524,613	06-11-1996	Haber et al.	128/203.15
5,758,638	06-02-1998	Kreamer	128/200.23

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MP ↓	5,797,391	08-25-1998	Cook et al.	128/203.15
	5,896,855	04-27-1999	Hobbs et al.	128/203.15

**Foreign Documents**

MP ↓	<u>Number</u>	<u>Publication Date</u>	<u>Patentee</u>	<u>Country</u>
	195 19 840 A1	12-05-1996	Klaus Kaewert	DE
	36 39 836 A1	06-01-1988	Sigrid Bechter	DE
	2 072 536 A	10-07-1981	H. Malem	GB
	2 148 841 A	06-05-1985	Warner-Lambert Company	GB
	0 308 637 A1	03-29-1989	Dr. Dieter Stephan	EP
	0 666 085 A1	08-09-1995	Plurichemie Anstalt	EP
	0 581 473 A1	02-02-1994	Bespak PLC	EP
	WO 96/22802 A	08-01-1996	Direct Haler	PCT
	WO 98/41255 A2	09-24-1998	Astra Aktiebolag	PCT
	WO 98/26827 A1	06-25-1998	Innovata Biomed Limited	PCT

*Antony Patel* 01/15/02

**Remarks**

This statement should not be interpreted as a representation that an exhaustive search has been conducted or that no better art exists. Moreover, Applicants invite the Examiner to make an independent evaluation of the cited art to determine its relevance to the subject matter of the present application. Applicants are of the opinion that their claims patentably distinguish over the art referred to herein, either alone or in combination.

Respectfully submitted,



Patrea L. Pabst  
Reg. No. 31,284

Dated: September 19, 2001

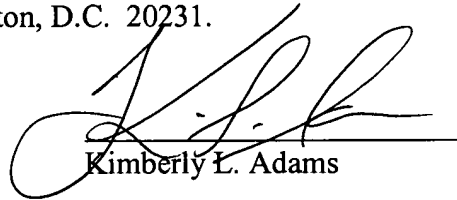
HOLLAND & KNIGHT LLP  
One Atlantic Center  
1201 West Peachtree Street, N.E.  
Suite 2000  
Atlanta, Georgia 30309-3400  
404-817-8500  
FAX 404-817-0470  
www.hklaw.com

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**Certificate of Mailing under 37 C.F.R. § 1.8(a)**

I hereby certify that this Information Disclosure Statement, along with any paper referred to as being attached or enclosed, is being deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Date: September 19, 2001



Kimberly L. Adams